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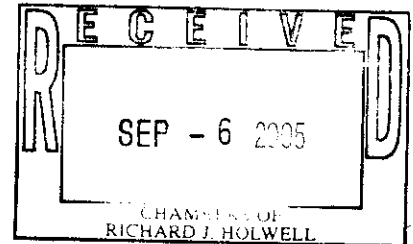
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September 6, 2005

Via Facsimile(212-805-7948)

Hon. Richard J. Holwell  
United States District Court Judge  
United States District Court  
500 Pearl Street, Rm. 17B  
New York, New York 10007

USDC SDNY  
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Re: Lawrence Peter Berra v. Turner Broadcasting System, Inc., et al.  
05 Civ. 2233 (RJH)

Dear Judge Howell:

I am the attorney for the plaintiff in the subject action. This letter is to confirm our arrangement made this day by phone between myself -- with the consent of all parties -- and your calendar clerk, William Donald, to adjourn the status conference, originally scheduled to be held on September 7, 2005, to October 7, 2005, at 11 a.m. The reason for our request for an adjournment is that the parties have agreed upon a settlement of this case and are in process of finalizing the terms of settlement. If we execute a settlement agreement prior to the rescheduled conference date, we will file a stipulation of dismissal, with a copy to you, as soon thereafter as possible.

Thank you for your kind courtesy in regard to this matter.

Very truly yours,

*Lewis M. Smoley*  
Lewis M. Smoley

LMS/rnn  
Enclosures

cc: Christian D. Carbone, Esq.  
Loeb & Loeb,  
Attorneys for Defendants Turner Broadcasting Systems, Inc.,  
Superstation, Inc. and the publisher defendants  
Edward P. Boyle, Esq.  
Hoguet Newman & Regal, LLP  
Attorneys for Defendant Cliff Freeman

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*Appellate Granted*  
*So Ordered*  
*DLJ*  
*USDC*  
*9/6/05*